

REMARKS

REJECTIONS UNDER 35 U.S.C. § 103

Claims 1-3, 12-13, 16-19, and 21 were rejected under 35 U.S.C § 103(a) as being unpatentable over U.S. Patent No. 4,937,863 issued to Robert et al. (*Robert*) in view of U.S. Patent No. 5,911,045 issued to Leyba et al. (*Leyba*). Applicant submits that claims 1-3, 12-13, 16-19, and 21 are not rendered obvious by *Robert* in view of *Leyba* for at least the reasons set forth below.

Independent claim 1 recites, in part, the following:

an electronic asset lending library database containing a plurality of user accounts and at least one license corresponding to an electronic asset provided to the database;

a license processor to find user accounts having electronic assets with an expired license, to request a user having an expired license to return or remove any electronic assets corresponding to the expired license, and to maintain a catalog of unassigned licenses for electronic assets.

Thus, Applicant claims a lending library apparatus comprising a license processor to find user accounts having electronic assets with an expired license. Independent claims 12 and 16 recite similar limitations.

Robert discusses a license management system that includes a license management facility that determines whether usage of a license program is within the scope of the license. *Robert* is cited as teaching the limitations of claim 1 except that *Robert* does not teach that an electronic asset lending library contains at least one license for an electronic asset assigned by a user having one of the plurality of user accounts. Applicant agrees that *Robert* does not teach or disclose this limitation. Furthermore, *Robert* does not teach or disclose **a license processor to**

find user accounts having electronic assets with an expired license, as recited in claim 1.

Therefore, Applicant submits that *Robert* does not render claim 1 obvious.

Leyba is cited as teaching that it is known in the art to provide a plurality of users being registered over a network to share information. Whether or not *Leyba* actually teaches this limitation, the Office Action does not suggest that *Leyba* teaches or discloses or otherwise makes obvious that an electronic asset lending library contains at least one license for an electronic asset assigned by a user having one of the plurality of user accounts. Furthermore, *Leyba* does not teach or disclose a license processor to find user accounts having electronic assets with an expired license. Thus, *Leyba* fails to cure the deficiencies of *Robert*. Therefore, Applicant respectfully submits that claims 1, 12, and 16 are not rendered obvious by the combination of *Robert* and *Leyba*.

Claims 2-3 depend from claim 1. Claim 13 depends from claim 12. Claims 17-19 and 21 depend from claim 16. Given that dependent claims necessarily include the limitations of the claims from which they depend, Applicant respectfully submits that claims 2-3, 13, 17-19, and 21 are not obvious in view of *Robert* and *Leyba*.

Claims 22-26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,745,879 issued to Wyman (*Wyman*) in view of *Leyba*. Applicant submits that claims 22-26 are not rendered obvious by *Wyman* in view of *Leyba* for at least the reasons set forth below.

Independent claim 22 recites, in part, the following:

managing a plurality of user accounts;
generating a license and associated license restrictions for an electronic asset on a lending library server, wherein the electronic asset is provided by a user having one of the plurality of user accounts and the license restrictions are set by the user that provided the electronic asset;

finding user accounts having electronic assets with an expired license;
and
requesting a user having an expired license to return or remove any
electronic assets corresponding to the expired license.

Thus, claim 22 recites a method comprising finding user accounts having electronic assets with an expired license. As discussed above with regards to independent claims 1, 12, and 16, *Leyba* fails to teach or disclose finding user accounts having electronic assets with an expired license. *Wyman* discusses a distributed computer system that employs a license management system to account for software product usage. *Wyman* does not teach or disclose finding user accounts having electronic assets with an expired license. Thus, *Wyman* fails to cure the deficiencies of *Leyba*. Therefore, Applicant submits that no combination of *Wyman* and *Leyba* renders claim 22 obvious.

Claims 23-26 depend from claim 22. Given that dependent claims necessarily include the limitations of the claims from which they depend, Applicant submits that claims 23-26 are not rendered obvious by *Wyman* and *Leyba*.

Claims 4-5, 7-10, 11, 14-15, 20, 27, and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Robert*, U.S. Patent No. 5,892,900 issued to Ginter et al. (*Ginter*), *Leyba*, and further in view of *Wyman*. Applicant submits that claims 4-5, 7-10, 11, 14-15, 20, 27, and 28 are not rendered obvious by *Robert*, *Ginter*, *Leyba*, and further in view of *Wyman* for at least the reasons set forth below.

Claims 4-5, 7-10, 11, 14-15, 20, 27, and 28 depend from independent claims 1, 12, 16, and 22, respectively. As discussed above, *Robert*, *Leyba*, and *Wyman* do not render the independent claims obvious for at least the reason that they fail to disclose a license processor to find user accounts having electronic assets with an expired license. *Ginter* is cited as disclosing

an Access Control List that provides "go/no-go" permissions to provide full control over application events. Whether or not *Ginter* actually teaches the limitations cited in the Office Action, *Ginter* does not teach or disclose or otherwise make obvious a license processor to find user accounts having electronic assets with an expired license. Thus, *Ginter* fails to cure the deficiencies of *Robert*, *Leyba*, and *Wyman*. Therefore, Applicant submits that claims 4-5, 7-10, 11, 14-15, 20, 27, and 28 are not obvious in view of *Robert*, *Leyba*, *Wyman*, and *Ginter*.


CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1-5 and 7-28 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Applicants have included a copy of all claims in the attached index for the Examiner's convenience.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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